

IN THE CIRCUIT COURT FOR EIGHTEENTH JUDICIAL DISTRICT
DuPAGE COUNTY, ILLINOIS
CHANCERY DIVISION

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. LISA MADIGAN, Attorney)
General of the State Illinois, and)
ex rel. JOSEPH E. BIRKETT, State's)
Attorney for DuPage County,)

Plaintiffs,)

v.)

PRECISION BRAND PRODUCTS, INC., a)
Delaware corporation, SCOT, INC.,)
an Illinois corporation, WILLIAM)
HELWIG, Individually, PRINCIPAL)
MANUFACTURING, CORP., an Illinois)
corporation, ARROW GEAR COMPANY,)
an Illinois Corporation, REXNORD,)
INC., a Wisconsin corporation,)

Defendants.)

No. 2003CH000979

CLERK OF THE
15TH JUDICIAL CIRCUIT
DuPAGE COUNTY, ILLINOIS

03 JUL 11 PM 12:29

FILED

MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

NOW COMES Plaintiff, PEOPLE OF THE STATE OF ILLINOIS ex rel. LISA MADIGAN, Attorney General of the State of Illinois, and ex rel. JOSEPH BIRKETT, State's Attorney of DuPage County, Illinois, and hereby moves the court, pursuant to Section 2-616 of the Illinois Code of Civil Procedure, 735 ILCS 5/2-616 (2002), for an order granting it leave to file an amended complaint. In support is its motion, Plaintiff states as follows:

1. On July 1, 2003, Plaintiff filed its initial complaint against Precision Extrusion Inc., Scot Inc., William Helwig, Principal Manufacturing, Corp., Arrow Gear Company and Rexnord, Inc., hereinafter referred to as "Defendants." The complaint alleges that Defendants caused or allowed among other things, the



groundwater, waters of the State of Illinois, to be contaminated with trichloroethylene ("TCE") and tetrachloroethylene ("PCE"), which are chlorinated solvents and volatile organic compounds ("VOC"). Further, that the TCE and PCE contaminated groundwater migrated to nearby residential portable water supply wells located directly south of Defendants' facilities contaminating these wells.

2. Following the filing of its complaint, Plaintiff discovered that one of the Defendants was incorrectly named in its action as "Precision Extrusion Inc.". That the correct name of the Defendant is "Precision Brand Products, Inc." This First Amended Complaint seeks to correct this error.

3. Additionally, Plaintiff's First Amended Complaint also seeks to specifically include in its prayer for relief under Counts II through V of its complaint, its request for among other things, damages for injury Defendants caused or allowed to the waters of the State of Illinois.

4. Section 2-616(a) of the Code of Civil Procedure allows a plaintiff to amend its complaint either in form or substance at any time before final judgment on "just and reasonable terms."

5. As Plaintiff seeks to correct the name of one of the Defendants and further, to make more specific the relief it seeks from this Court, the amendment should be allowed.


WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS,
moves for an order granting it leave to file its First Amended
Complaint, instanter.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
ex rel., LISA MADIGAN
Attorney General of the
State of Illinois

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By:


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